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hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 4, 2004


Josephine B. Hardy

Attorney Docket: 11957/20

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : RATH Matthias	Art Unit : 1651
Serial No.: 10/077,283	Examiner : MARX, IRENE
Filing Date: February 14, 2002	

For: COMPOSITION OF BIOCHEMICAL COMPOUNDS INVOLVED IN
BIOENERGY METABOLISM OF CELLS AND METHOD OF USE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

And Petition for Extension of Time

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SIR:

In response to the Restriction Requirement mailed September 30, 2003, Applicant hereby elects, with traverse, the claims of Group I, i.e., claims 1-3 and 8-9, for further prosecution in this application. Applicants submit that the classification and sub-classification of the restricted groups are related and that they do not impose undue burden to the examiner.

No fee is believed to be due for filing this Response; however, the Commissioner is hereby authorized to charge payment of any required due fees to Kenyon & Kenyon's Deposit Account No. 11-0600, including the fee for an extension of time (see below).

02/25/2004 TS0665 00000001 110600 10077283
01 FC-2254 740.00 DA

Applicant hereby requests a **four-month extension** of time for responding to the Restriction Requirement dated September 30, 2003. The extended period for response expires on **February 29, 2004**. Please charge the small entity four-month extension fee of **\$740.00** and any additional fees that may be required, or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**. A duplicate of this Transmittal is enclosed.

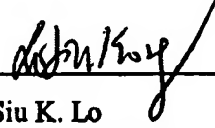
This election is made without prejudice to the filing of a divisional application(s) directed to non-elected inventions.

An action on the merits is respectfully requested.

Respectfully submitted,
KENYON & KENYON

Date: February 4, 2004

By: _____


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